

**Atty Dkt: 2002-IP-009930UI (1391-41400)**

**Patent**

## **REMARKS/ARGUMENTS**

### ***Status of Claims***

Claims 29 and 37 have been amended.

Claims 25, 32-33, and 47-48 have been canceled.

As such, claims 1-24, 26-31, and 34-46 are pending in this application.

Applicants hereby request further examination and reconsideration of the presently claimed application.

### ***Allowable Subject Matter***

Applicants note with appreciation that claims 1-24, 26-28, and 46 are allowed.

### ***Claim Objections***

Claim 33 has been canceled, and thus the objection thereto is now moot.

Claim 37 has been amended to depend from claim 29 as suggested by the Examiner.

### ***Claim Rejection – 35 USC § 102 & 103***

Claims 29-31, 34, and 37-44 stand rejected under 35 USC § 102(b) as being anticipated by *Nobileau* (US 5,337,823). Claims 29, 30, 33, 37-39, 44, and 45 stand rejected under 35 USC § 102(b) as being anticipated by *Heyn* (US 5,201,757). Claims 35 and 36 stand rejected under 35 USC § 103(a) as being unpatentable over *Nobileau* in view of *Whanger* (US 6,834,725).

Applicants note with appreciation the Examiner's observation in paragraph 4 of the Office Action that claim 29 does not require that the carrier be removable in the wellbore. Likewise, Applicants note with appreciation the Examiner's observation in paragraph 10 of the Office Action that claim 29 does not require that the carrier and sleeve be placed in the wellbore nor even used with any wellbore structure. In view of the Examiner's helpful observations, Applicants have amended claim 29 to recite "wherein upon placement of the tubular sleeve in the

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wellbore, the sleeve is detachable from the carrier and the carrier is removable from the wellbore.” Applicants respectfully submit that amended claim 29 is now fully distinguished from the prior art of record.

Specifically, Applicants respectfully submit that none of the prior art of record, alone or in combination, teaches each and every element of the pending claims as amended. With respect to *Nobileau*, the Examiner agrees that once in the wellbore the carrier of *Nobileau* would not be removable from either the tubular sleeve or the wellbore. Thus, amended claim 29 reciting that “the sleeve is detachable from the carrier and the carrier is removable from the wellbore” is now distinguished from *Nobileau*. As for *Heyn*, the reference relates to body implantable prosthesis, and in particular to stents deployed via a catheter. Applicants respectfully submit that claim 29 drawn to a system for placing a tubular sleeve in a wellbore is readily distinguishable from the non-analogous, medical art of *Heyn*, which has nothing to do with placement of a detachable tubular sleeve in a wellbore via a removable carrier. As for *Whanger*, the reference is relied upon as a secondary reference in combination with *Nobileau*. *Whanger* is cited for the limited purpose of teaching a securing anchor, and thus *Whanger* does not make up for the lack of teaching of the primary reference, *Nobileau*. Given that the prior art of record does not teach or suggest each and every element of claims 29-31 and 34-45, Applicants respectfully submit that such claims are in condition for allowance.

*Atty Dkt.: 2002-IP-009930U1 (1391-41400)**Patent***CONCLUSION**

Consideration of the foregoing amendments and remarks, reconsideration of the application, and withdrawal of the rejections and objections is respectfully requested by Applicants. No new matter is introduced by way of the amendment. It is believed that each ground of rejection raised in the Office Action dated November 21, 2005 has been fully addressed. If any fee is due as a result of the filing of this paper, please appropriately charge such fee to Deposit Account Number 50-1515 of Conley Rose, P.C., Texas. If a petition for extension of time is necessary in order for this paper to be deemed timely filed, please consider this a petition therefore.

If a telephone conference would facilitate the resolution of any issue or expedite the prosecution of the application, the Examiner is invited to telephone the undersigned at the telephone number given below.

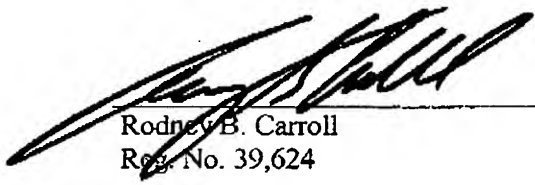
Respectfully submitted,

CONLEY ROSE, P.C.

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2-21-06

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